

**BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 433
WASHINGTON, D.C. 20009
(202) 671-0550**

IN THE MATTER OF

Camille Bryan
Associate Director for Workforce Dev
Department of Human Resources

) Date: September 28, 2011
)
) Docket No.: 11F-045
)
)

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (hereinafter OCF), Office of the General Counsel following a determination by its Public Information and Records Management Division that pursuant to D.C. Official Code §1-1106.02 (2001 Edition), CAMILLE BRYAN, Associate Director for Workforce Development, Department of Human Resources, failed to timely file a Financial Disclosure Statement (hereinafter FDS) for calendar year 2010 on or before May 15, 2011 as required by D.C. Official Code §1-1106.02, and by the extended filing date sanctioned by OCF on June 10, 2011.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 2, 2011, OCF ordered CAMILLE BRYAN to appear at a scheduled hearing on August 16, 2011 and show cause why she should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

Summary of Evidence

On August 16, 2011, CAMILLE BRYAN (hereinafter Respondent), appeared pro se to answer to the above-cited allegation(s). Sonya Lake, Public Affairs Specialist, appeared on behalf of OCF. Ms. Lake testified that the Respondent failed to timely file the required FDS for calendar year 2010 on or before May 15, 2011 and failed to file by the extended filing date June 10, 2011; and therefore, Respondent is in violation of the D.C. Official Code §1-1106.02 (2001 Edition).

Respondent testified that she separated from her agency employer June 15, 2011 and did not receive an exit interview. Respondent further testified that she was not informed by her agency administrator that she had a continued duty to file a FDS with OCF within 90 days of her separation from the agency. OCF finds Respondent's explanation to be unpersuasive for a couple of reasons. First, a reminder letter was mailed to Respondent, by OCF on April 20, 2011, informing her of the FDS filing deadline on May 15, 2011. Secondly, OCF mailed a Noncompliance letter to Respondent on June 1, 2011, informing her that the filing deadline had been extended to June 10, 2011.

Thirdly, Respondent failed to assert that OCF did not have her correct mailing address, thus it is reasonable for OCF to believe that Respondent received prompt and proper notice of her duty to file a FDS with OCF, in advance of her separation from DC government on June 15, 2011. Respondent subsequently filed the required FDS for calendar year 2010 on August 14, 2010. Respondent is currently in compliance with the statute and has no prior history of untimely FDS filings.

Findings of Fact

Having reviewed the allegations and the record herein, I find that:

1. Respondent served as Associate Director for Workforce Development within Department of Human Resources.
2. Respondent failed to file a FDS with OCF for calendar year 2010 on or before the extended date June 10, 2011.
3. On August 14, 2011, Respondent filed the required FDS electronically.
4. Respondent filed the required FDS forty-five (45) days past the extended due date, June 10, 2011.
5. Respondent testimony for the untimely filing was credible in part, in that Respondent separated from DC government June 15, 2011 and did not receive an exit interview from her agency administrator, nor was she informed that she was required to file a final FDS with OCF within 90 days of her separation.
6. Respondent has no history of FDS filing delinquencies and is currently in compliance with the statute.

Conclusions of Law

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3 DCMR §§3711.2(aa), 3711.2 and 3711.4 (March 2007, as amended) for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02 is a fine of \$50.00 per day for each business day subsequent to the due date.

3. In accordance with D.C. Official Code §1-1103.05(b)(3), the Respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.
4. For good cause shown pursuant to 3 DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent testified that her untimely filing was in part due to separated from DC government June 15, 2011 and did not receive an exit interview from her agency administrator, nor was she informed that she was required to file a final FDS with OCF within 90 days of her separation. However, Respondent received timely notices from OCF, prior to her separation, advising of the FDS filing deadline May 15, 2011 and extended deadline line June 10, 2011.

Recommendation

In view of the foregoing and information included in the record, and in accordance with the D.C. Official Code §1-1103.05(b)(3), a maximum fine of \$2,000 is appropriate in this matter; however, **I HEREBY RECOMMEND** that the Director **SUSPEND** the imposition of a fine in this matter.

Date

Kalvanetta K. Peete
Hearing Officer

Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

Date

William O. SanFord
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine is hereby suspended in this matter.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

I HEREBY CERTIFY that a copy of the foregoing has been furnished to CAMILLE BRYAN this _____ day of September, 2011 by US Mail and/or Certified Mail.

NOTICE

Pursuant to 3DCMR §3711.5, any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 433, 2000 Fourteenth Street, N.W., Washington, D.C. 20009.